

FAS

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED

08 FEB 27 AM 10:45 MJ 0580

UNITED STATES OF AMERICA,

Plaintiff,

v.

Oscar PEREZ-Meixuero
AKA: Zackary David MCKERR

Defendant.

Magistrate Case No.

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIACOMPLAINT FOR VIOLATION OFBY: *J*

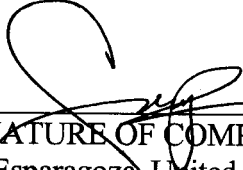
DEPUTY

Title 18, U.S.C., Section 1544
Misuse of Passport

The undersigned complainant being duly sworn states:

On or about **February 26, 2008**, within the Southern District of California, defendant **Oscar PEREZ-Meixuero AKA: Zackary David MCKERR** did knowingly and willfully use a passport issued or designed for the use of another, with the intent to gain admission into the United States in the following manner, to wit: Defendant applied for entry to the United States by presenting Official U.S. passport number 424061892, issued to Zackary David Mckerr to a Department of Homeland Security, Customs and Border Protection Officer, knowing full well that he was not Zackary David Mckerr, that the passport was not issued or designed for his use, and that he is not a United States citizen entitled to a U.S. Passport. All in violation of Title 18, United States Code, Section 1544.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


SIGNATURE OF COMPLAINANT
Sara Esparagoza, United States Customs
and Border Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **27th** DAY OF
FEBRUARY 2008.


UNITED STATES MAGISTRATE JUDGE

FAS

PROBABLE CAUSE STATEMENT

On February 26, 2008, at approximately 07:00 AM, **Oscar PEREZ-Meixuero AKA: Zackary David MCKERR (Defendant)** made application for admission into the United States through the San Ysidro Port of Entry pedestrian lanes. Defendant presented a United States passport bearing the name Zackary David MCKERR as his entry document. The CBP Officer suspected Defendant was not the lawful owner of the United States passport presented and escorted Defendant to secondary for further inspection.

During secondary inspection, CBP Officers confirmed Defendant was not the lawful owner of the document presented. Defendant was subsequently referred to the San Ysidro Enforcement Unit for further processing.

During a video-recorded interview, Defendant was advised of his Miranda Rights, acknowledged his rights and elected to answer questions without the benefit of counsel. Defendant admitted he is a citizen of Mexico without legal rights or documents to enter the United States. Defendant admitted willfully and knowingly using a United States Passport designated for the use of another person to gain admission into the United States. Defendant stated he obtained the U.S. passport from an unknown male in Tijuana Mexico for the purpose of attempting entry into the United States. Defendant stated he paid \$100.00 USD for the United States passport. Defendant stated he was going to Canoga Park, California to resume residency.